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EXAMINER

GYORFI, THOMAS A

ART UNIT

PAPER NUMBER

2135

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/973,349	<b>Applicant(s)</b> PRATT, DOUGLAS CHARLES	
	<b>Examiner</b> Tom Gyorf	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-20 remain for examination. The correspondence filed 12/1/04 amended claims 1, 4, 7, 10, 11, and 14-19.

### *Response to Arguments*

2. Applicant's arguments filed 12/1/04 have been fully considered but they are not persuasive.

Applicant argues regarding claim 1, "*The system advantageously **accumulates**, in a first database, object identifier code mapping information from identifier codes **derived from message data**. The system also generates a 'plurality of messages incorporating said extracted first identifier code, said plurality of messages being for initiating a search of a plurality of different identifier code databases including said first database'. These features are not shown or suggested in Harris.*" Examiner disagrees with this contention. Harris clearly teaches a mapping dictionary, which can be construed to be a [first] database under the broadest possible definition of the term, which accumulates *inter alia* code information (paragraph 0013) derived from the customized query responses [i.e., messages] (paragraph 0031).

Applicant further argues regarding claim 1, "*The claimed system as shown in Figure 12 of the Application, for example, advantageously translates identifiers **WITHIN** messages as they pass through an interface processor (900), **WITHOUT** any action or knowledge thereof by either the sending system (700) or receiving system (710). This feature provides transparent and automated mapping of identifiers. **WITHOUT** requiring changes to either a sending or receiving application.*" It is noted that the features upon which applicant relies as quoted above are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues regarding claim 3, *"...Harris does not show (or suggest) the feature combination of claim 3 involving 'said plurality of messages use Simple Object Access Protocol (SOAP) for updating said plurality of databases'. Contrary to the Rejection statement on page 7 Harris in paragraph 0062 does not mention SOAP protocol or discuss its use in updating a mapping database."*

Examiner disagrees with this contention, asserting that SOAP was well known in the art at the time of the invention as a means to update databases, and therefore falls under the scope of "another well known it [sic] method" as disclosed in Harris (9<sup>th</sup> through 12<sup>th</sup> lines of paragraph 0012). To that end, Examiner has submitted ancillary references establishing its usefulness in this regard; the evidence also supports the ability to implement SOAP in Java, which is expressly taught by Harris as a means to update the database (*Ibid*).

Applicant further argues regarding claim 11, *"Contrary to the Rejection statement on page 7 Harris in paragraph 0062 does not mention use of SOAP or XML in message communication."*

This is incorrect. Towards the bottom of the cited paragraph, Harris clearly teaches that search results are transferred (i.e. communicated as in a message) to the server in XML format ("In an embodiment, the formatted results...").

Applicant further argues regarding claim 16, *"As previously explained in connection with claim 1, the Harris system actively surveys a data source, depicted as a database engine (20). in order to build a mapping dictionary. This requires such databases to support queries from surveyor (102), which requires work on the database engine (20), access to the database engine, and detailed knowledge of the layout of the database (Harris paragraph 0029). In contrast, the claimed system does not require such an*

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*active surveying connection to databases in order to build a mapping dictionary, because it builds a mapping dictionary by 'accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data'. Neither these advantages nor the features of the claim 16 arrangement that provide these advantages are suggested in Harris."* Examiner disagrees with the latter contention, as noted above in response to claim 1. Furthermore, it is noted that the features upon which applicant relies (i.e., the distinction between active and passive monitoring of databases) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claims 2, 15, 17, 19, and 20 stand rejected for reasons similar to those cited for claim 1. Applicant's arguments for all remaining claims do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which Applicant thinks the claims present in view of the state of the art disclosed by the references cited. Specifically, they do not show how the amendments avoid such references or objections.

### ***Claim Objections***

3. Claim 10 is objected to because of the following informalities: in the amendment filed 12/1/04, the claim is listed as being currently amended (also see page 15 of Applicant's remarks), but no modifications are indicated in the text of the claim. Further, Examiner can see no discernible difference between the current version of claim 10 and the previous version. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-2, 4-5, 7, 9-12, and 14-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Harris (U.S. Patent Application Publication 2002/0059204).

Referring to Claim 1:

Harris discloses a method for determining identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);  
extracting said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a plurality of messages incorporating said extracted first identifier code, said plurality of messages being for initiating a search of a plurality of different remote identifier code databases including said first database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier code being associated with entities different to said first entity (paragraph 0018, 0029, 0044 and 0065); and

receiving said different identifier codes corresponding to said first identifier code in response to communicating said plurality of messages (paragraph 0017 and 0051-0052).

Referring to Claim 15:

Harris discloses a method for determining a specific identifier code for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);;

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a second message incorporating said derived first identifier code, said second message being for initiating a search of said first database mapping said first identifier code associated with said first entity to a corresponding second identifier code identifying said object and said second message incorporates data representing rules determining conduct of said search of said identifier code database, said second identifier code being associated with a second entity different to said first entity (paragraph 0018, 0029, 0057 and 0058);

receiving said second identifier code corresponding to said first identifier code in response to communicating said second message (paragraph 0017 and 0051-0052).

Referring to Claim 16:

Harris discloses a method for determining identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity (paragraph 0009);

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

generating a plurality of messages incorporating said derived first identifier code, said plurality of messages being for initiating a search of said first database and a remote identifier code database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier code being associated with entities different to said first entity (paragraph 0018, 0029, 0044 and 0065);

receiving said different identifier codes corresponding to said first identifier code in response to communicating said second message (paragraph 0017 and 0051-0052);



and updating said remote identifier code databases to incorporate corresponding received identifier codes identifying said object (paragraph 0017 and 0051-0056).

Referring to Claim 17:

Harris discloses method for providing identifier codes for an object associated with a plurality of identifier codes by a corresponding plurality of entities, comprising the activities of:

receiving from a remote source a first message including at least a first identifier code identifying an object, said first identifier code being associated with a first entity and said first message requesting determination of a specific identifier code for said object (paragraph 0009);

deriving said first identifier code from said received first message (paragraph 0009);

accumulating, in a first database, object identifier code mapping information from identifier codes derived from message data (paragraph 0031);

initiating a search of a plurality of different identifier code databases including said first database, said databases linking said first identifier code associated with said first entity to corresponding different identifier codes identifying said object, said different identifier codes being associated with entities different to said first entity using said extracted first identifier code (paragraph 0018, 0029, 0044 and 0065);

receiving said different identifier codes corresponding to said first identifier code in response to said initiated search of said plurality of different identifier code databases (paragraph 0051-0056); and

providing said different identifier codes to said remote source (paragraph 0051-0056)).

Referring to Claim 19:

Harris discloses a system for identifier codes for an object associated with a plurality of identifier codes, comprising:

a communication processor for bidirectionally communicating with applications (Fig. 2; paragraph 0061);

a plurality of different remote identifier code databases including a first database incorporating object identifier code mapping information accumulated from identifier codes derived from message data (paragraphs 0031 and 0041);

a first application for,

initiating a search of said plurality of different remote databases to translate a first identifier code identifying an object associated with a first entity to corresponding different identifier codes identifying said object, said different identifier codes being associated with entities different to said first entity, in response to receiving a message including a plurality of corresponding identifier codes identifying said object and provided by remote applications (paragraph 0018, 0029, 0044 and 0065), and for

updating at least one of said plurality of different databases to incorporate corresponding different identifier codes identifying said object (paragraph 0017 and 0051-0056); and

providing said different identifier codes corresponding to said first identifier code in response to said initiated search of said plurality of different identifier code databases via said communication processor (paragraph 0055-057).

Referring to Claim 2:

Harris discloses the limitation of Claim 1 above. Harris further discloses, wherein updating said plurality of databases to incorporate said different identifier codes identifying said object (paragraph 0017).

Referring to Claim 4:

Harris discloses the limitation of Claim 1 above. Harris further discloses, including the activity of communicating said plurality of messages to applications useable for initiating a search of said plurality of different remote identifier code databases (paragraph 0055-0057 and 0062; see also element 16 of Figures 3 and 4).

Referring to Claims 5 and 20:

Harris discloses the limitations of Claims 1 and 19 above. Harris further discloses, wherein a message of said plurality of messages initiates a prioritized search of said a database and

an object comprises at least one of, (i) an article of manufacture, (ii) a service and (iii) a non-manufactured item (paragraph 0029; also, observe that “article of manufacture” falls under the scope of “product” under the broadest definition of the terms: see paragraph 0013) and

an entity comprises at least one of, (a) an object retailer, (b) an object wholesaler, (c) an object distributor, (d) an object manufacturer, (e) an object servicing enterprise and (f) an object seller (observing that the supplier of paragraph 0013 reads on at least any element of the set of “object retailer”, “object distributor”, and “object seller”, under the broadest definitions of the respective terms).

Referring to Claim 7:

Harris discloses the limitations of Claim 1 above. Harris further discloses, wherein said extracting activity comprises

deriving said first identifier code and a corresponding third identifier code identifying said object from said received first message (paragraphs 0052-0053), and

said generating step generates a plurality of messages incorporating said derived first and third identifier codes. (paragraphs 0029, 0052, 0058 and 0074-0075; in addition see also paragraph 0064).

Referring to Claim 9:

Harris discloses the limitations of Claim 1 above. Harris further discloses, wherein said message of said plurality of messages incorporates rules determining conduct of said search of said identifier code database (paragraph 0055-057).

Referring to Claim 10:

Harris discloses the limitations of Claim 9 above. Harris further discloses, wherein said rules are predetermined in an application used for accessing said database (the rules disclosed in paragraph 0057; see also paragraphs 0055 and 0056).

Referring to Claim 11:

Harris discloses the limitations of Claim 1 above. Harris further discloses, including the activity of communicating said plurality of messages to applications for accessing said databases using at least two of, (a) Hypertext Transfer Protocol (HTTP), (b) Simple Object Access Protocol (SOAP) and (c) XML (Extensible Markup Language) (paragraph 0062).

Referring to Claim 12:

Harris discloses the limitations of Claim 1 above. Harris further discloses, wherein said method comprises an identifier code mapping application and said identifier code mapping application and one of said plurality of different remote identifier code databases are co-located on the same processor, said processor comprising one

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of (a) a server, (b) a PC (c) a wireless device, (d) a mainframe computer and (e) another networked processing device (paragraph 0065-0066, 0075). Note that because the system disclosed in Harris uses the Internet (paragraphs 0032-0035), it can thus be construed that "another networked processing device" is taught the Harris disclosure.

Referring to Claim 14:

Harris discloses the limitations of Claim 1 above. Harris further discloses, wherein said first message is received from an application initiating a transaction (paragraph 0013), and including the activity of forwarding a composite message to a destination application in support of said transaction, said composite message being created including information derived from said first message and including one of said different identifier codes (selecting a result and forwarding it to a purchasing system, as described in paragraphs 0013 and 0076).

Referring to Claim 18:

Harris discloses the limitations of Claim 17 above. Harris further discloses, including the activity of generating a record of said search and provision of said different identifier codes for use in at least one of, (a) billing, and (b) creating a transaction record (the log file containing transaction records of paragraph 0055; also, a billing scheme would be inherent to, or at least suggested by, the ordering scheme of paragraph 0076).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Harris, and as appropriate in view of "SQLData SOAP Server" by SQLData Systems Inc. (hereinafter "SQLData").

Referring to Claim 3:

Harris discloses the limitation of Claim 2 above. As noted above, Examiner contends that the Simple Object Access Protocol was well known in the art at the time of the Harris disclosure and thus falls under the purview of "another well known it [sic] method" for updating said plurality of databases. If Applicant produces persuasive evidence that this is not inherently so, then it would have been an obvious development in view of the SQLData disclosure. SQLData teaches that SOAP can be used to communicate with, and issue SQL commands to, databases (SQLData, "Key Features, 4<sup>th</sup> and 5<sup>th</sup> bullet points). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use SOAP as the interface, because it allows one to access databases as a web service (SQLData, 1<sup>st</sup> paragraph), which corresponds with a preferred embodiment of the Harris disclosure (Harris, paragraph 0061).

8. Claims 6, 8, and 13 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Harris.

Referring to Claim 6:

Harris discloses the limitations of Claim 5 above. Harris further discloses, wherein said prioritized search of said database searches first for a purchaser product identifier code identifying said object and subsequently for a manufacturer product identifier code identifying said object (paragraph 0060). If Applicant produces a persuasive argument that the sequential ordering of searches disclosed therein does not read on the claim, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to sequentially stagger the searches for the product and manufacturer codes, respectively. The motivation for doing so would be to allow the data for the product codes in a separate database from the data for the manufacturer codes, allowing for a modicum of load balancing among the servers used in the Harris disclosure (paragraph 0060), particularly when multiple queries are active.

Referring to Claim 8:

Harris discloses the limitations of Claim 7 above. Harris further discloses, wherein said first identifier code comprises a purchaser product identifier code and said third identifier code comprises a manufacturer product identifier code and a message of said plurality of messages initiates a prioritized search of a database involving searching first for said purchaser product identifier code and subsequently for a



manufacturer product identifier code, both of which fall under the scope of the product codes as taught in paragraph 0013. (see also paragraphs 0029, 0058 and 0074-0075). If Applicant produces persuasive evidence as to why this is not inherently so, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to include it, as doing so would facilitate purchasing a product thusly searched based on the results returned by the disclosed system (paragraph 0013).

Referring to Claim 13:

Harris discloses the limitations of Claim 1 above. Harris further discloses, wherein at least one of said first and said different identifier codes comprise one of (a) a Universal Product Code and (b) a code associated with a bar code (paragraphs 0013 and 0029). Note that by definition, a Universal Product Code is a product code, as recited by Harris. If Applicant can produce a persuasive argument that a Universal Product Code somehow differs from what is processed in the Harris disclosure, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to explicitly search for Universal Product Codes, as UPCs are well known in the art as a industry-standard type of product code, which could be provided to the system disclosed by Harris as an identifier to be searched for (paragraph 0029).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- "Simple Object Access Protocol (SOAP) 1.1" by the W3C defines the SOAP specification as it existed at the time of the instant application and prior art.
- "SOAP for Java" by IBM discloses the existence of an implementation of SOAP technology in Java.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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